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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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0002

July 15, 1991

Mr. J. L. Anderson
Anderson Supply Company
2116 South 750 West
Woodscross, Utah 84087

Dear Mr. Anderson:

Re: Variance Requests for Anderson Supply Project, S/049/018, Utah County, Utah

Thank you for your time and assistance in the July 3 site inspection. This letter along with the attached file memo are meant to document and inform you of the results of that inspection.

You requested several variances from the operation and reclamation practices listed on page 3 of the Division's MR-SMO Form. The item numbers mentioned in the paragraphs below refer to those items from which you had requested a variance.

A variance from items 2, 3, 5, and 6 is not necessary since none of these features (shafts or tunnels, drill holes, toxic materials, or stream channels) currently exist, or will be used at your mine site.

Your variance request from item 4 cannot be granted at this time. The mine site currently contains a highwall area, therefore a berm, fence or barrier must be constructed in order to prevent access. Appropriate warning signs should also be posted near the highwall area. Since the highwall area is located on your private property, it would be in your best interest, from a liability standpoint, to implement these measures as soon as possible.

Item 7 requires the proper disposal of any trash, scrap metal, wood, machinery and buildings. Your current operation contains no structures or onsite facilities and the equipment used is all mobile, therefore a portion of item 7 does not apply to your site. Only minor amounts of trash and debris were present at the site at the time of the inspection. Some trash, scrap or debris are incidental to most mining operations and

Page 2
J. L. Anderson
Anderson Supply Project
S/049/018
July 15, 1991

the removal of this waste material is necessary for most post-mining land uses. With this in mind, a variance for item 7 is not granted.

Item 9 requires reclamation of all roads which are not part of a permanent transportation system. This must be consistent with the wishes of the land owner for the affected lands. While at the site, you requested that the spur roads off of the canal road be excluded from the reclamation requirements and allowed to remain. I indicated that in general, roads which provide access to some feature other than a mine site may be allowed to remain if that is the wish of the landowner. You pointed out the location of a nearby water well which may be accessed through your property. At that time, I indicated that it may be possible to exclude roads located on private property from the reclamation requirements.

In order for these roads to remain, the Division must have some evidence that these roads will provide necessary access to some feature other than the mine site, as part of the post-mining land use. In order for the minesite roads which are not located on your property to be excluded from the reclamation requirements, the Division must have a written statement from the proven landowner stating the desire and justification for the roads to remain. For these reasons, a variance form item 9 cannot be granted at this time. It would be helpful to the Division for you to submit a map or sketch of the entire mine site clearing identifying the roads, mine disturbances (old and new) and the property boundaries with any documentation for your variance request(s). This would be very beneficial since the portion of your site located on private property was not referenced in your original Notice of Intention.

Item 11 refers to stabilization of highwalls, reshaping the land, and redistributing topsoil. This may be done during operations or at the time of final reclamation. Since your mine site currently contains a highwall, the Division cannot grant a variance from the stabilization requirements. Reshaping or recontouring is generally required to achieve favorable revegetation and minimize visual impacts. Therefore, a variance from this requirement is not granted.

You indicated that to your knowledge no topsoil had been stockpiled prior to the inspection date. You also indicated that you would salvage and stockpile topsoil if you expand the current mining area. Since some topsoil material exists at your site, a variance from the topsoil requirement cannot be granted; however, you will not be held accountable for the lack of topsoil prior to the inspection date. The Division reserves

Page 2

J. L. Anderson

Anderson Supply Project

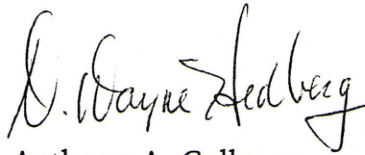
S/049/018

July 15, 1991

the right to decide at the time of reclamation, whether using borrow material from the nearby areas as substitute topsoil for the minesite will be required.

If you have any questions regarding this letter or your variance requests please contact me or Wayne Hedberg.

Sincerely,

for 
Anthony A. Gallegos
Reclamation Engineer

jb

Enclosure

cc: Jerry Mansfield, State Lands
S49-018.